

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY CAIRO IMMEDIATE

C O N F I D E N T I A L STATE 180972

LIMDIS

E.O. 11652: GDS

TAGS: EFIN, PFOR, CPRS, EG

SUBJECT: U.S. CLAIMS AGAINST EGYPT

REFS: (A) CAIRO 7414, (B) CAIRO 7462

1. DEPARTMENT DOES NOT FAVOR DEWIDAR PROPOSAL VALUING LAND ON THE AVERAGE FIGURE OF LE 350 PER FEDDAN REGARDLESS OF WHETHER THE LAND WAS CHOICE AGRICULTURAL LAND OR DESERT LAND. WE BELIEVE THAT EACH CLAIMANT IS ENTITLED TO THE MARKET VALUE OF THE LAND TAKEN, AND ANY LUMP SUM SHOULD BE ARRIVED AT ACCORDINGLY. TO DO OTHERWISE WOULD PRODUCE A SUM NOT RESPONSIVE TO TRUE VALUES, AND COULD CAUSE DIFFICULTIES IN DETERMINING AMOUNT EACH CLAIMANT ENTITLED TO OUT OF THE LUMP-SUM FUND, IN THAT CLAIMANTS WITH CHOICE AGRICULTURAL LAND WOULD RECEIVE LESS THAN MARKET VALUE FOR PROPERTY, WHILE CLAIMANTS OWNING DESERT LAND WOULD RECEIVE WINDFALL.

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2. DEPARTMENT HAS NO OBJECTION TO INCLUDING BLOCKED

BANK ACCOUNTS UNDER THE UMBRELLA OF THE FINAL LUMP-SUM SETTLEMENT AGREEMENT, WITH THE USG RESPONSIBLE FOR MAKING PAYMENT.

3. EMBASSY IS AUTHORIZED TO SUBMIT WRITTEN STATEMENT TO GOE EXPOUNDING THE DEPARTMENT'S POLICY OF SUPPORTING CLAIMS OF DOMINANT U.S. NATIONALS. CARE SHOULD BE TAKEN NOT TO CONCEDE DUAL NATIONALITY UNLESS SUCH IS CLEAR, BUT TO SAY THAT EVEN IF, ARGUENDO, DUAL NATIONALITY OBTAINS, USG IS ENTITLED TO ESPOUSE A CLAIM BECAUSE OF THE CLAIMANT'S DOMINANT U.S. NATIONALITY. EMBASSY MAY WISH IN THIS REGARD TO DRAW ON 8 WHITEMAN, DIGEST OF INTERNATIONAL LAW, 1252 FF.

4. DEWIDAR PROPOSAL THAT MEETINGS OF THE JOINT COMMITTEE TERMINATE ON AUGUST 3 AND RESUME IN MID-OCTOBER IS ACCEPTABLE.

5. REGARDING PARA 5 OF REFTEL (B) CONCERNING GOE PROPOSAL THAT PAYMENT OF AGREED LUMP SUM BE MADE IN SIX EQUAL INSTALLMENTS OVER THREE-YEAR PERIOD, EMBASSY SHOULD STATE THAT USG WILL BE GLAD TO CONSIDER PROPOSALS FOR MODALITIES OF PAYMENT ONCE AGREEMENT HAS BEEN REACHED ON THE TOTAL AMOUNT OF THE LUMP SUM. FYI: IF GOE PAYS 100 PERCENT OF PRINCIPAL AMOUNT OF CLAIMS PLUS INTEREST, WE WOULD CLEARLY AGREE TO SUCH A PROPOSAL. IF IT WERE TO PAY LESS THAN 100 PERCENT OF THE PRINCIPAL AMOUNT, WE MIGHT WELL WISH TO PRESS FOR THE PROMPT PAYMENT OF THE ENTIRE SUM IN A SINGLE INSTALLMENT. END FYI INGERSOLL

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